

**DETERMINATION & FINDINGS
FOR A
SOLE SOURCE CONTRACT**

Contract No.: DCPO-2012-F-0126

Caption: District Online Compensation System (DOCS)

Proposed Contractor: On Point Technology, Inc.
1515 N Courthouse Rd
Suite 310
Arlington, VA 22201

Program Agency: Department of Employment Services (DOES)

FINDINGS

1. Authorization:

FAR Part 8.4 and 27 DCMR, Chapter 21, Sections 2100, 2103.4, 2104.2 and DC Official Code §2-303.05(a)(3), 27DCMR §1702.3.

2. Minimum Need:

The Department of Employment Services (DOES) has an immediate need to continue the operation of the District Online Compensation System (DOCS) without interruption.

The proposed contract is needed to provide the agency adequate time to finalize the processes necessary to ensure in house capacity to fully manage and maintain the DOCS system within the agency, without further regular dependence on contractors.

The period of performance is from December 1, 2011 through November 30, 2012.

3. Estimated Reasonable Price:

The reasonable price of the DOCS services for the period is \$3,954,731.61. The proposed Contractor offered the District labor rates based upon its Federal Supply Schedule (FSS) Contract No.: GS-35F-0688R, awarded by the General Services Administration (GSA). Those labor rates have already been determined to be fair and reasonable by virtue of the GSA's contract award.

4. Facts That Justify Federal Supply Schedule Procurement:

The Department of Employment Services is the single agency responsible for administering unemployment insurance in the District of Columbia. An integral component in the delivery of unemployment benefits to claimants in the District of Columbia is the DOCS system, which was created and maintained by On Point Technology, Inc.

The current DOCS system is a proprietary system operated by On Point Technology, Inc. As such, On Point Technology, Inc. is the only entity able to continue the system's operation and provide maintenance until such time that DOES has the capacity to assume in-house management of the system.

The technical assistance currently provided is the ongoing support, maintenance, management and modification of system applications. This also includes resolving production problems and making alterations to or enhancing the software code. These services are needed to maintain DOES' unemployment compensation automated benefit system.

Without this contract the District will be unable to provide unemployment benefits to thousands of claimants. The proposed contract is with a vendor who maintains a supply schedule with the General Services Administration (GSA), Federal Supply Schedule under contract number GS-35F-0688R. In addition, it is determined that:

- (a) The supplies or services on the federal schedules meet the District's minimum requirements; and
- (b) The federal schedule price is lower than the price that can be obtained with a new contract because GSA has borne the cost of preparation and negotiating a competitive contract.
- (c) The following below are applicable:
 - (1) There is no existing agency inventories;
 - (2) There is no excess from other District agencies or from federal agencies;
 - (3) There are no existing District requirements or cooperative contracts presently available to satisfy this requirement;
 - (4) There is no existing indefinite quantity contracts, to the extent of the minimums stated in those contracts;
 - (5) There is no procurement list of products and services available from the Committee for Purpose of Products and Services of the Blind and Other Severely Handicapped.

Based on the above reasons, a market survey was not conducted because On Point is the only qualified vendor to continue system operations during the stated period of performance.

5. **Certification by Agency Director**

I hereby certify that the above findings are correct and complete.

Date

Lisa Mallory
Director
Department of Employment Services

6. **Contracting Officer Certification**

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the sole source notice of Intent to Award a Sole Source Contract was posted on the OCP website and no valid responses were received regarding the posting. I recommend that the Assistant Director of Procurement approve this sole source contract.

Date

Priscilla Mack
Contracting Officer

Determination

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive bidding process under Section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. law 6-85; D.C. Official Code § 2-303.05 (a)(1)). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

Courtney Lattimore
Interim Assistant Director for Procurement

Determination

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive bidding process under Section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. law 6-85; D.C. Official Code § 2-303.05 (a)(1)). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

James D. Staton, Jr.
Chief Procurement Officer